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Attorneys for Plaintiff Sierra Snowmobile Foundation, et al.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

SIERRA SNOWMOBILE FOUNDATION,
a nonprofit corporation; JEFF WITTMAN;
MARY KRUPKA; JOHN WATTS;
BLUERIBBON COALITION, INC, a
nonprofit corporation; AMERICAN
COUNCIL OF SNOWMOBILE
ASSOCIATION INC., a nonprofit
corporation,

Plaintiffs,

v.

UNITED STATES FOREST SERVICE,
Pacific Southwest Region; JASON
KUIKEN, in his capacity as Forest
Supervisor for the Stanislaus National
Forest; UNITED STATES DEPARTMENT
OF AGRICULTURE, United States Forest
Service,

Federal Defendants.

Case No.: 2:21-CV-01913-JAM-DB

**STIPULATION TO EXTEND TIME
FOR PARTIES' SUBMITTAL OF
JOINT STATUS REPORT**

The undersigned counsel for the parties, on behalf of their respective clients, hereby stipulate as follows:

1 1. Pursuant to ECF No. 3, ¶ 4, the Court directed the parties to “prepare and submit
2 to the Court a joint status report that includes the Rule 26(f) discovery plan” within sixty (60)
3 days of service of the complaint on any party.

4 2. The time for the Federal Defendants to submit their answer to the complaint was
5 also 60 days from the time of service of the complaint. *See* Fed. R. Civ. P. 12(a)(2).

6 3. Federal Defendants filed their answer on December 27, 2021. *See* ECF No. 13.

7 4. The undersigned counsel for plaintiffs and for the Federal Defendants have
8 initially conferred by email following the filing of the answer, and further agree as follows:

9 a. This is an administrative record review case and therefore not a case to
10 which the initial disclosure requirements of Rule 26(a) or the conference requirement of
11 Rule 26(f) apply. *See* Fed. R. Civ. P. 26(a)(1)(B)(i) and 26 (f)(1).

12 b. The parties intend to submit a joint status report addressing items other
13 than the Rule 26(f) discovery plan, including without limitation addressing items such as
14 the timing and scheduling for the Federal Defendants’ lodging of the administrative record
15 with the Court; the schedule for a review and objection resolution process for the
16 administrative record, including a timeframe for any possible motions concerning the
17 administrative record; a briefing schedule for cross-motions for summary judgment to
18 address the resolution of this case on the merits (including possible briefing page-limit
19 proposals if different from those set out by the Court in ECF No. 3-2 for cross-motions
20 for summary judgment); and any other items referenced in ECF No. 3, ¶ 4 that may still
21 be applicable and appropriate for this proceeding at this point.

22 c. The client contact for the Federal Defendants is currently unavailable until
23 January 10, 2022, and Federal Defendants cannot confer on scheduling and other related
24 matters until that client contact is available.

25 d. The undersigned counsel for the parties estimate that the conference
26 process for addressing the items to be included in the joint status report should take
27 approximately 10 to 14 days following January 10, 2022.
28

1 5. Wherefore, in light of the above, and good cause shown therefrom, the parties
2 stipulate to and ask this Court to approve an extension of time in which to submit the joint status
3 report up to and including **January 25, 2022**.

4 Respectfully submitted this 28th day of December 2021.

5 HOLLAND & HART LLP

6 By: /s/ Murray D. Feldman

7 Frank LaForge

8 Murray D. Feldman

9 *Attorneys for Plaintiffs Sierra Snowmobile Foundation, et al.*

10 U.S. Department of Justice

11 Environment and Natural Resources Division

12 By: /s/ Shaun Pettigrew (via email authorization)

13 Shaun M. Pettigrew

14 Senior Attorney

15 Natural Resources Section

16 c/o NOAA Damage Assessment

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21 *Attorney for Federal Defendants*

22 **IT IS SO ORDERED.**

23 DATED: January 3, 2022

24 /s/ John A. Mendez

25 THE HONORABLE JOHN A. MENDEZ

26 UNITED STATES DISTRICT COURT JUDGE